

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35122 of 2025

Arising Out of PS. Case No.-90 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

Nitish Kumar Son of vinod Mahto village- Bilaury, Ps- Lakhisarai, Dist-
Lakhisarai Petitioner/s

Versus

1. The State of Bihar
2. Janak Kumari Daughter of Bido Mahto village- Bilaury, Ps- Lakhisarai, Dist-
Lakhisarai Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar
For the State	:	Ms. Sharda Kumari
For the Informant	:	Mr. Birendra Kr. Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 17-11-2025 Heard learned counsel for the petitioner, learned APP
for the State and the learned counsel for O.P. No. 2.

2. The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 90 of 2023, registered for the
offences punishable under Sections 341, 323, 498(A), 34 of the
IPC and Section 3/4 of the D.P. Act.

3. It is a case of matrimonial dispute.

4. Vide order dated 20.08.2025, the matter was
referred to the Patna High Court Mediation and Conciliation
Centre. The report of the learned Mediator shows that the matter
could not be resolved between the parties and therefore, the
mediation failed.

5. The learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that the petitioner is ready to pay Rs. 4,000/- per month as interim maintenance to opposite party no. 2.

6. Considering the above-mentioned facts and circumstances, especially the fact that the petitioner is ready to pay Rs. 4,000/- per month as interim maintenance to opposite party no. 2, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Lakhisarai in connection with Mahila P.S. Case No. 90 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

7. The petitioner is directed to pay Rs. 4,000/- per month as interim maintenance to opposite party no. 2 (the informant). The interim maintenance granted by this Court shall be subject to adjustment, if any other court grants maintenance to the opposite party no. 2.

(Nawneet Kumar Pandey, J)

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